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Juvenile Justice Facilities: The Best Thing for Convicted Youths

By Kristin Arnold

Summary

People who have committed crimes under the age of 18 are in instances convicted as an adult, and sent to adult prisons. This paper takes on the stance that juvenile offenders should not be sent to such adult prisons. The author shores evidence that rehabilitation programs for the youth at juvenile justice facilities benefit youths nearing age 17 and 18. By providing court cases and current statistics, the author strongly suggests that adult prisons are no place for convicted youth, and society should be aware of this.

Introduction

At the age of fourteen, one is too young to drive, too young to watch an 'R'-rated movie, and too young to get a body piercing or tattoo without parental consent. Fourteen year olds may be however, old enough to be tried as adults. In America today, as soon as children turn eighteen they are legally considered adults and no longer need parental consent. However, if eighteen is the legal standard of age for the beginning of adulthood, why then, are underage children being tried as adults? I believe that if an individual is under the age of eighteen, he or she should still be considered a child and treated as such by the legal system. In this paper I argue that, contrary to current beliefs, children should not be tried as adults because the juvenile justice system proves more beneficial to helping these children. I feel very strongly about giving children the chance to better themselves, which they can do in a juvenile justice system, not in an adult prison. I feel strongly about this subject as I experience first hand how one of my close friends in middle school was murdered by another classmate in the school bathroom. The murderer had just turned fourteen years old the day before, and was tried and convicted as an adult. He is now serving life in prison.

Even though I will never forgive him for the crime he committed, I still feel that at the age of fourteen he was too young to have his whole life taken away from him. He at least deserved to be sent to a juvenile justice system where he would have had the opportunity to get the help he needed

How Convicted Youths Are Effectuated



Juvenile justice institutions are equipped with counselors and programs that can help convicted youths like my classmate get on the right track. In these facilities, youths have access to professional psychologists and counselors that offer guidance to them. Also, there are many programs available to them to help them get on the right track and get to the root of their problems. Even though youths have so much more to gain benefi-

cially by being sent to juvenile facilities, more and more are being tried as adults and sent to adult prisons. The case of *Kent v. United States 1966* established that juvenile facilities were created to determine the needs of the child through guidance rather than punishment with the protection of society in mind. Adult

prisons do not offer what juvenile facilities have to offer. I will prove that these programs are successful in protecting society and helping the convicted youths by comparing the percentages of those who are rearrested after being released from a juvenile facility as opposed to an adult prison. In addition, I will prove that adult prisons are no places for under-age children. Youths are a target for the other inmates and therefore their safety is greatly jeopardized. Finally, youths that are imprisoned do not know how to adjust to life after prison. There is no benefit for them being locked up in a prison during their prime years while they can be learning to change their ways and adjust to their new life once they have completed their programs.

Juvenile Justice Facilities

Those who support adult convictions on children think that by sending underage criminals to adult jails –as opposed to juvenile correctional facilities– society will be better off. These child offenders are off of the streets and the community as a whole feels safer because of this situation. This mindset has been proven false. In *Kent v. the United States 1966*, the Supreme Court stated, “The Juvenile Court is theoretically engaged in determining the needs of the child and of society rather than adjusting criminal conduct. The objectives are to provide measures of guidance and rehabilitation for the child and protection for society, not to fix criminal responsibility, guilt and punishment.” This is in other words saying that juvenile facilities have both societies’ best interest in mind as well as the youth’s. They offer guidance and create programs to help them whereas prisons offer nothing but guilt and punishment. While they may be locked away in prison as opposed to a correctional facility, one has to look at the people that these children in adult prisons are thrown with compared to the people that children in juvenile correctional facilities associate with. Adult inmates become the role models that

children in adult prisons learn to look up to, because that is all they have. In juvenile correctional facilities, however, these youth offenders have counselors and various positive adults that help them get back on the right track and enlist these children in programs that will help them become more of what they are. Statistics show that 30% of youths that faced time in adult prisons were back in prison within the first two years of being released where only 19% of those in juvenile centers were rearrested again. These statistics give proof that youths do benefit more from being sent to juvenile centers than actual adult prisons.

Convicted Youth and Adult Prisons

Not only are adult prisons unsuccessful in changing convicted youths for the better, they are additionally a dangerous place for them. The brutality that youths face in adult prisons was the reason the juvenile system was started about one hundred years ago in Chicago. Children are subjected to beatings and rape from the other adult inmates causing the suicide rate of youths in adult prisons to be alarmingly high. The British Prison Reform Trust did a study on the suicide rates of children in adult prisons and found that children between the ages of 15-21 had a combined total of twenty-two percent of suicide deaths, while comprising of only thirteen percent of the prison population. Many of the causes behind these children committing suicide in adult jails are because they do not feel safe there. Youths are subjected to brutality beyond belief and are the main victims of rape. There are five times as many youths detained in adult prisons that have been sexually abused or raped as compared to adults, while only one percent of youths in juvenile facilities claimed to be. Another study similar to the one the British Prison Reform Trust held was one conducted in Kansas. Researchers found that only 9.1% of youths in juvenile institutions claimed to be victims of sexual

abuse whereas 15% of youths in adult prisons were reported to being raped and sexually abused. These studies show that adult prisons are no place for children, no matter what crimes they committed. These statistics agree with what criminologists call the archetype of a victim of a prison rape: young. In the same Kansas rape study, researchers found that children placed in adult prisons were twice as likely to be beaten up by staff, while only one in ten children in a juvenile justice facility reported being assaulted. Also found in that study is that fifty percent of juveniles placed in adult prisons were more likely to be attacked with a weapon than those in juvenile justice facilities. Youths in adult prisons are constantly subjected to assault, and because of this danger, many commit suicide. These children need to learn from their mistakes, and adult prisons are no place for them to learn the right way if they are always living in fear, and only have adult criminals as their role models. These children do not benefit at all from being in an adult prison over a juvenile institution; rather, they lose so much more.

Convicted Youth's Life after Being in an Adult Prison

Being thrown in an adult jail with real hardened criminals automatically changes the youth's life forever. While they did commit a crime and deserve to pay for that crime, by throwing them into an adult jail, when released, they have limited opportunities. This in turn causes relapse to happen more often as they have nothing to keep them occupied. Many jobs will not hire those who spent time in prison, including the military. Their opportunities to make something of their life after prison are so limited that it is difficult for these once young offenders to get on the right track after spending most of their youth in an adult prison. A prime example of this is my classmate mentioned earlier, Michael Hernandez, who murdered another classmate of mine at the age of fourteen. Due to the severity of

the crime he committed, Michael was tried as an adult and was found guilty of first degree murder. Being tried as an adult, juvenile institutions were out of the question. Michael was sent to an adult prison where he has to spend the next forty years of his life. When he is released, there will be severe hindrances to face as a free person. Michael will be in his late fifties when he is out, which is a difficult age to find a job for anyone, let alone a convicted murderer. Adjusting to life after spending the majority of his life in prison will be an extremely difficult thing, especially when it comes to finding a job. True he murdered his classmate, but he was young when it happened and now he has to pay for his consequences through the rest of his life. These youth offenders grow up in adult prisons, and therefore forget what it is like living in the real world. They become used to this prison life that when they are finally free, they have no idea what to do with themselves, which makes them unproductive members in society and easier to relapse.

Children Benefit More from Juvenile Justice Facilities

According to studies, children benefit more in juvenile facilities than in adult prisons. In juvenile justice facilities, children are surrounded by counselors and other positive adult role models that are trained to help them get through their difficult stages and get back on the right foot. In adult prisons, children are subjected to constant abuse from the other adult inmates, both physical and sexual, and have no positive role models to look up to. In adult prisons, children have to toughen their exterior because of the people they are thrown with. All they have to look up to are these adult inmates, and therefore learn from them because that is all they essentially have. Studies have shown that children released from juvenile facilities are less likely to relapse than those children released from adult prisons, and a lot of this has to do with the beneficial pro-

grams available to those children in juvenile facilities. These programs are those of anger management, heavy counseling, and many individual programs that help the troubled child's needs. While society may feel safer with these youth offenders locked up for good in adult prisons, studies prove that juvenile facilities are more beneficial to treating these troubled children. Based on the evidence cited here, children should not be tried as adults. Society and the actual youth offenders are much better off by sending them to juvenile facilities where they have specialists helping them get back on track in every way possible, which is not offered in adult prisons. I believe children offenders should first be sent to juvenile facilities where they have all the counselors they need to help them. If that fails, then it may be better for them to spend some time in adult prisons. However, these youths should have a chance to become something better before immediately being sent off to an adult prison. They are young, and still have room for growth, so why not give it to them by giving them the opportunity to better themselves.

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